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MINISTRY OF REHABILITATION

NOTIFICATION

New Delhi, the 21st September 1955

S.R.O. 2164/R.Amdt.II.—It is hereby notified for the information of the general public that Parliament has made the following amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

(1) The following shall be added after sub-rule (3) of rule 17:—

“Provided that nothing in this sub-rule shall apply where any such person purchases any property forming part of the compensation pool in which case the purchase price may be adjusted against the compensation payable to him in accordance with these rules, notwithstanding that the amount to be adjusted exceeds fifty thousand rupees.

Explanation.—In its application to a Hindu undivided family, the limit of fifty thousand rupees shall apply to each share referred to in sub-rule (2) of rule 19.”

(2) The following amendments shall be made in rule 19:—

(i) after sub-rule (2), insert—

“(2A) Notwithstanding anything contained in sub-rule (2), where a deceased member of a Joint Hindu Family has left sons all of whom are less than eighteen years of age, such sons shall, for the purpose of computation of compensation be reckoned as one member of the family”.

(ii) after Explanation II, add—

“Explanation III.—For the purposes of this rule, the question whether a person is less than eighteen years of age, shall be determined with reference to the date 26th September, 1955.”

(3) The following amendments shall be made in sub-rule (1) of rule 22:—

(i) in clause (a), for “five thousand rupees” substitute “ten thousand rupees”; and

(ii) in clause (b)—

(a) Omit “in a rural area or in a town other than those mentioned in Appendix X”; and

(b) for “two thousand rupees” substitute “ten thousand rupees”.

(4) The following shall be substituted for sub-rule (2) of rule 25:—

“(2) Where the value of the property exceeds the net amount of compensation payable to the applicant, the applicant shall be required to pay the balance—

(a) in one lump sum; or

- (b) in instalments, as following:—
- (i) In the case of property other than an industrial concern—
- (a) Where the value of the property does not exceed, in the case of a shop in a rural area or in a town other than those mentioned in Appendix X, two thousand rupees and in the case of any other property five thousand rupees in four equal annual instalments.
 - (b) where the value of the property exceeds the limits specified in clause (a), or where the property consists of a shop situated in a town specified in Appendix X, in two equal annual instalments.
- (ii) In the case of an industrial concern in instalments spread over a period not exceeding two and a half years, or
- (c) by adjustment against compensation payable in respect of the verified claim of any other person."
- (5) The following shall be substituted for clause (ii) of rule 26:—
- "(ii) in the case of any other property—
- (a) Where the value of the property does not exceed, in the case of a shop in a rural area or in a town other than those mentioned in Appendix X, two thousand rupees and in the case of any other property five thousand rupees, if he pays at once 20 per cent. of the value thereof and agrees to pay the balance in four equal annual instalments from the date of the initial payment;
 - (b) where the value of the property exceeds the limits specified in clause (a), or where the property consists of a shop situated in a town specified in Appendix X, if he pays at once not less than 33-1/3 per cent. of the value of the property and agrees to pay the balance in two equal annual instalments from the date of the initial payment."

(6) The following amendments shall be made in rule 36:—

 - (i) in clause (a), for "Rs. 5,000/-" substitute "Rs. 10,000/-"; and
 - (ii) for clause (b), substitute—

"(b) every Government built shop valued at Rs. 10,000/- or less."

(7) The following amendments shall be made in rule 41:—

 - (i) before the existing proviso to sub-rule (1), add—

"Provided that where the value of the property exceeds in the case of a shop in a rural area or in a town other than those mentioned in Appendix X two thousand rupees and in the case of any other property five thousand rupees and such value is covered by the amount of net compensation payable to such person to the extent of 33-1/3 per cent. of the value of the property;"

 - (ii) in the existing proviso to sub-rule (1), for "Provided that" substitute "Provided further that where the provisions of the preceding proviso do not apply"; and
 - (iii) in sub-rule (2), for "shall be payable in four equal annual instalments" substitute—

"shall be payable—

 - (i) Where the value of the property does not exceed in the case of a shop in any rural area, or in any town other than those specified in Appendix X, two thousand rupees and in the case of any other property five thousand rupees, in four equal instalments; and
 - (ii) where the value of the property exceeds the limits specified in clause (i) or where the property consist of a shop situated in a town specified in Appendix X, in two equal annual instalments."

(8) The following shall be substituted for rule 42:—

"42. Government built residential property in occupation of non-claimants.—Where a displaced person who does not hold a verified claim is in occupation of a Government built property which is an allottable property, the property may be transferred to him if he makes an initial payment of—

 - (i) where the value of the property exceeds in the case of a shop situated in any rural area or in any town other than those specified in Appendix X, two thousand rupees and in the case of any other property, five thousand rupees, 33-1/3 per cent. of the value of the property; and

(ii) where the value of the property does not exceed the limits specified in clause (i) or where the property consists of a shop situated in a town specified in Appendix X—

(a) 33-1/3 per cent. of the value of the property if the property is situated in an 'A' class colony;

(b) 25 per cent. of the value of the property if the property is situated in a 'B' class colony;

(c) 20 per cent. of the value of the property if the property is situated in a 'C' class colony, and agrees to pay the balance of the purchase price—

(1) in case falling under clause (i) above in two equal annual instalments; and

(2) in a case falling under clause (ii) above, in four equal annual instalments."

(9) The proviso to rule 45 shall be omitted.

(10) The following amendment shall be made in clause (b) of rule 46:—

Omit "subject to the proviso to rule 45".

(11) The proviso to rule 48 shall be omitted.

(12) The following proviso shall be added to sub-rule (3) of rule 95:—

"Provided that any such application may be entertained after the said date if the Settlement Commissioner is satisfied that the applicant was prevented by sufficient cause from filing the application in time."

(13) The following amendments shall be made in rule 97:—

(i) for the existing proviso, substitute—

"Provided that—

(a) he has not accepted such allotment of the agricultural land or such allotment has been cancelled;

(b) he does not hold a verified claim in respect of any other kind of property, that is to say, for any urban property or for any substantial rural building."; and

(ii) after the first proviso, add—

"Provided further that where any such person is given a rehabilitation grant under rule 97A, he shall not be given a rehabilitation grant under this rule."

(14) The following new rule shall be added after rule 97:—

"97A. Rehabilitation grants to persons allotted agricultural land upto two standard acres in Punjab and Patiala and East Punjab States Union.—Any person who has been allotted two standard acres or less of agricultural land in the State of Punjab or Patiala and East Punjab States Union under any notification specified in Section 10 of the Act may be given a rehabilitation grant at the rate of Rs. 450/- per standard acre of the area allotted to him:

Provided that—

(a) he has not accepted such allotment of the agricultural land or such allotment has been cancelled;

(b) he does not hold a verified claim in respect of any other kind of property, that is to say, for any urban property or for any substantial rural building."

[No. F.51(13)SI/55.]

K. J. GEORGE, Dy. Secy.

